

Article 9. Use and Management of Containers**§66264.170. Applicability.**

The regulations in this article apply to owners and operators of all hazardous waste facilities that transfer or store containers of hazardous waste, except as section 66264.1 provides otherwise.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.170.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.171. Use and Management of Containers.

If a container holding hazardous waste is not in good condition (e.g., severe rusting, apparent structural defects) or if it begins to leak, the owner or operator shall transfer the hazardous waste from this container to a container that is in good condition or manage the waste in some other way that complies with the requirements of this chapter.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.171.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.172. Compatibility of Waste with Containers.

The owner or operator shall use a container made of or lined with materials which will not react with, and are otherwise compatible with, the hazardous waste to be transferred or stored, so that the ability of the container to contain the waste is not impaired.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.172.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.173. Management of Containers.

(a) A container holding hazardous waste shall always be closed during transfer and storage, except when it is necessary to add or remove waste.

(b) A container holding hazardous waste shall not be opened, handled, transferred or stored in a manner which may rupture the container or cause it to leak. Reuse of containers for transportation shall comply with the requirements of the U.S. Department of Transportation regulations including those set forth in 49 CFR section 173.28.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.173.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.174. Inspections.

At least weekly, the owner or operator shall inspect areas used for container storage or transfer, looking for leaking containers and for deterioration of containers and the containment system caused by corrosion or other factors.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.174.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.175. Containment.

(a) Container transfer and storage areas shall have a containment system that is designed and operated in accordance with subsection (b) of this section.

(b) A containment system shall be designed and operated as follows:

(1) a base shall underlie the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and accumulated precipitation until the collected material is detected and removed;

(2) the base shall be sloped or the containment system shall be otherwise designed and operated to drain and remove liquids resulting from leaks, spills, or precipitation, unless the containers are elevated or are otherwise protected from contact with accumulated liquids;

(3) the containment system shall have sufficient capacity to contain precipitation from at least a 24-hour, 25-year storm plus 10 % of the aggregate volume of all containers or the volume of the largest container, whichever

is greater. Containers that do not contain free liquids need not be considered in this determination;

(4) run-on into the containment system shall be prevented unless the collection system has sufficient excess capacity in addition to that required in subsection (b)(3) of this section to contain any run-on which might enter the system; and

(5) spilled or leaked waste and accumulated precipitation shall be removed from the sump or collection area in as timely a manner as is necessary to prevent overflow of the collection system. If the collected material is a hazardous waste under chapter 11 of this division, it shall be managed as a hazardous waste in accordance with all applicable requirements of chapters 12 through 16 of this division. If the collected material is discharged through a point source to waters of the United States, it is subject to the requirements of section 402 of the Federal Clean Water Act, as amended (33 U.S.C. section 1342).

(c) The owner or operator shall submit to the Department with the application for a hazardous waste facility permit a written statement signed by an independent, qualified professional engineer, registered in California, that indicates that the containment system is suitably designed to achieve the requirements of this section.

(d) Storage areas that store containers holding only hazardous wastes that do not contain free liquids need not have a containment system as specified by subsection (b) of this section, except as provided by subsection (e) of this section or provided that:

(1) The storage area is sloped or is otherwise designed and operated to collect and remove liquid resulting from precipitation, or

(2) The containers are elevated or are otherwise protected from contact with accumulated liquid.

(e) Storage areas that store containers holding the following wastes listed that do not contain free liquids must have a containment system as specified by subsection (b) of this section: F020, F021, F022, F023, F026, and F027.

NOTE: Authority cited: Sections 25150, 25159, 58004 and 58012, Health and Safety Code. Reference: Sections 25150(a), 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.175.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).
2. New subsections (d)-(e) and amendment of NOTE filed 7-24-97; operative 7-24-97 pursuant to Government Code section 11343.4(d) (Register 97, No. 30).

§66264.176. Special Requirements for Ignitable or Reactive Waste.

Containers holding ignitable or reactive waste shall be located at least 15 meters (50 feet) from the facility's property line.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.176.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.177. Special Requirements for Incompatible Wastes.

(a) Incompatible wastes, or incompatible wastes and materials (see Appendix V for examples), shall not be placed in the same container, unless section 66264.17(b) is complied with.

(b) Hazardous waste shall not be placed in an unwashed container that previously held an incompatible waste or material.

(c) A container holding a hazardous waste that is incompatible with any waste or other materials transferred or stored nearby in other containers, piles, open tanks, or surface impoundments shall be separated from the other materials or protected from them by means of a dike, berm, wall, or other device.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159 and 25159.5, Health and Safety Code; 40 CFR Section 264.177.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.178. Closure.

At closure, all hazardous waste and hazardous waste residues shall be removed from the containment system. Remaining containers, liners, bases, and soil containing or contaminated with hazardous waste or hazardous waste residues shall be decontaminated or removed. At closure, as throughout the operating period, unless the owner or operator can demonstrate in accordance with section 66261.3(e) of this division that the solid waste removed from the containment system is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and shall manage it in accordance with all applicable requirements of chapters 12 through 16 of this division.

NOTE: Authority cited: Sections 208, 25150 and 25159, Health and Safety Code. Reference: Sections 25159, 25159.5 and 25245, Health and Safety Code; 40 CFR Section 264.178.

HISTORY

1. New section filed 5-24-91; operative 7-1-91 (Register 91, No. 22).

§66264.179. Air Emission Standards.

The owner or operator shall manage all hazardous waste placed in a container in accordance with the applicable requirements of Articles 27, 28, and 28.5 of this Chapter.

NOTE: Sections 25150, 25159, 25159.5, 25245 and 58012, Health and Safety Code. Reference: Sections 25150, 25159 and 25159.5, Health and Safety Code; and 40 CFR section 264.179.

HISTORY

1. Change without regulatory effect adding new section filed 6-11-99 pursuant to Health and Safety Code section 25159.1 (Register 99, No. 24).